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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
MISSOULA DIVISION

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WILDEARTH GUARDIANS,

Plaintiff,

CENTER FOR BIOLOGICAL  
DIVERSITY,

Plaintiff,

Lead Case No. 9:16-CV-00065DWM

vs.

Member Case No. 9:17-CV-00099DWM

UNITED STATES FISH AND  
WILDLIFE SERVICE; et al.,

Defendants,

Montana Trappers Association, et al. &  
Fur Information Council of America,

Defendant-Intervenors.

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**DEFENDANT-INTERVENORS' MOTION TO DISMISS**

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Pursuant to Fed. R. Civ. P. 12(B)(7), Defendant-Intervenors move to dismiss the above-captioned consolidated action because Plaintiffs have not joined and cannot join indispensable parties – States and Native American tribes who are immune from suit – pursuant to Fed. R. Civ. P. 19. The reasons for this motion are set forth in a separate memorandum filed herewith.

Pursuant to Local Rule 7.1(c)(1), all other parties to this action have been contacted relating to this motion. Federal Defendants take no position on Defendant-Intervenors' motion at this time, and reserve all rights to respond to or oppose the motion. Plaintiffs WildEarth Guardians and Center for Biological Diversity will oppose the motion.

Dated: November 10, 2017

/s/ Kathleen L. DeSoto  
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Montana Trappers Association and National  
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**CERTIFICATE OF SERVICE**

I hereby certify that, on November 10, 2017, a copy of Defendant-Intervenors' Motion to Dismiss was electronically filed with the Clerk of Court through the CM/ECF system, which will send notice of the filing to all counsel of record.

/s/ Ira. T Kasdan  
Ira T. Kasdan